



NEWS RELEASE

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DECEMBER 15, 2005
FOR IMMEDIATE RELEASE

MEXICAN GROCERY OWNERS INDICTED FOR SELLING ILLEGAL PRESCRIPTION DRUGS

SPRINGFIELD, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced today that the owners of La Durangena grocery store in Monett, Mo., along with their son who works at the store, have been indicted by a federal grand jury for selling prescription drugs that were smuggled into the United States from Mexico, and for dispensing those drugs at their store to customers who did not have a doctor's prescription.

Efren Moreno, Sr., 45, and his wife, **Eloisa M. Soto**, 43, owners of La Durangena grocery store, 310 E. Broadway in Monett, and their son **Efren Moreno, Jr.**, 22, who works at the store, all of Monett, were charged in a 13-count indictment returned by a federal grand jury in Springfield on Wednesday. **Soto**, a citizen of Mexico, is a permanent resident alien.

The indictment alleges that the defendants sold drugs that had been smuggled into the United States from Mexico, that they dispensed prescription drugs without first receiving a prescription from a physician licensed by law to administer such drugs, and that they received misbranded drugs in interstate commerce, which they sold at the grocery store. According to the indictment, misbranded drugs include drugs that carry Spanish-language labels rather than labels printed in English, as required by federal law. Misbranded drugs also include prescription drugs that are dispensed without a prescription.

Among the prescription drugs cited in the indictment are Pentrexyl Ampicilina and Graneodin Benzocaina, both intended for use in the mitigation or treatment of a closed or swollen throat, and Grageas Levonorgestrel Efinilestradiol, intended for use in the prevention of pregnancy.

Among the non-prescription drugs cited in the indictment are pain relievers Saridon, Saridon Paracetamol Y Cafeina, Duals Adulto, Duals Infantil and Neo-Melubrina. Duals contained the ingredient phenacetin, which may not be marketed in the United States. Neo-

Melubrina contained dipyrrone, which has not been approved in the United States. Also cited in the indictment is the non-prescription drug Anginol Mentol/Benzocaina, intended for use in the mitigation or treatment of sore or swollen throat.

Counts One through Four of the federal indictment allege four separate instances from Dec. 9, 2003, to April 21, 2004, in which the defendants dispensed prescription drugs to customers who did not have a prescription.

Counts Five through Eight of the federal indictment allege four separate instances from Dec. 9, 2003, to April 21, 2004, in which the defendants received misbranded drugs in interstate commerce. Information on the label of those drugs was allegedly printed in Spanish rather than English.

Count Nine of the federal indictment alleges that the defendants bought and sold prescription and non-prescription drugs that had been smuggled into the United States from Mexico from December 2003 through April 29, 2004.

Counts Ten through Thirteen of the federal indictment allege four separate instances from Dec. 9, 2003, through April 21, 2004, in which **Soto** sold prescription drugs that had been smuggled into the United States from Mexico.

Graves cautioned that the charges contained in the indictment are simply accusations, and not evidence of guilt. Evidence supporting the charges must be presented to a federal trial jury, whose duty is to determine guilt or innocence.

This case is being prosecuted by Assistant U.S. Attorney Richard E. Monroe. It was investigated by the Food and Drug Administration – Office of Inspector General, the Bureau of Immigration and Customs Enforcement, IRS-Criminal Investigation, and the Monett, Mo., Police Department.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at

www.usdoj.gov/usao/mow/index.html